DRAFT BLM Sage-Grouse Habitat Conservation Strategy

Executive Summary

The vision of the national BLM Sage-Grouse Habitat Conservation Strategy is to manage public land in a manner that will maintain, enhance, and restore sage-grouse habitats while providing for multiple uses of BLM-administered public land.

The following five goals will guide BLM's implementation of the national Strategy:
1. Develop a consistent and effective management framework for addressing conservation needs of sage-grouse on public lands.
2. Increase our understanding of resource conditions and priorities for maintaining and restoring habitat.
3. Expand available research and information that supports effective management of sage-grouse habitat.
4. Develop partnerships to enhance effective management of sage-grouse habitats.
5. Ensure leadership and resources are adequate to implement national and state-level sage-grouse habitat conservation strategies.

I. Introduction

This national Strategy serves as a framework to address the conservation of sage-grouse habitats on BLM-managed public land. The document identifies necessary resources and actions to support the development and implementation of BLM state-level strategies.

There are two currently recognized species of sage-grouse: the greater sage-grouse, the most widely distributed; and the Gunnison sage-grouse, whose range is restricted to southwestern Colorado and southeastern Utah. Unless otherwise specified, the term sage-grouse in this Strategy refers to both species. Sage-grouse populations have declined throughout North America by 33 percent over the past 30 to 40 years and have been extirpated in five states. The vast sagebrush biome that supports sage-grouse is composed of two major divisions, the sagebrush steppe ecosystem and the Great Basin sagebrush ecosystem. Though sage-grouse are the most widely distributed species of conservation concern in the sagebrush biome, it should be noted that not all sagebrush habitat is sage-grouse habitat. Concerns for other wildlife and native plant species associated with sagebrush and considerations for the overall health of the sagebrush ecosystems, which are in progress, will continue simultaneously with the implementation of strategies for sage-grouse.

Conservation of sage-grouse habitat is complex. It requires current data on the location and condition of populations and knowledge of habitat use and habitat condition coupled with a good understanding of the effects of BLM programs and related activities that are occurring in sagebrush habitats. A comprehensive, range-wide assessment of sage-grouse populations and habitat status on both public and private land will be available in early 2004 through a multi-agency cooperative effort lead by the Western Association of Fish and Wildlife Agencies

(WAFWA). Long-term commitments to implement actions described in the national and subsequent BLM state-level strategies are necessary to address the retention, conservation and restoration of occupied and, where feasible, historic sage-grouse habitats on BLM-administered public land in the West.

Sections I through V contain background information about sage-grouse life history, habitat requirements, and threats or risks to the species. The information comes from scientific literature. Relevant literature used in this Strategy is listed in Section XIII rather than cited in the text of the document. Sections VI and VII are the guiding principles, goals, strategies, and actions that provide fundamental themes and guidance for preparing and implementing national and state-level strategies. Outreach and coordination, timeframes, budget and staffing, monitoring and other additional information comprise Sections VIII through XII.

II. Purpose and Need

The BLM has responsibilities under both the Federal Land Policy and Management Act (FLPMA) and the Endangered Species Act (ESA) to manage public lands to benefit wildlife and the ecosystems upon which they depend. Under FLPMA, "wildlife habitat management" is one of many dimensions included in BLM's multiple use mandate. The ESA is much more rigorous because federal agencies, including the BLM, cannot conduct or authorize actions that jeopardize the continued existence of threatened or endangered species.

Seven petitions to protect sage-grouse under the ESA were filed with the U.S. Fish and Wildlife Service (FWS) between 1999 and March 2003 because sage-grouse population declines have been significant in recent decades. However, even before the petitions were filed, the BLM began identifying actions that could be taken to stem declines on BLM-managed public lands because of local concerns about the status of the populations. The petitions to list sage-grouse as threatened or endangered add impetus to the need to effectively implement sage-grouse conservation on BLM-managed public land. This Strategy was developed to provide a cohesive approach to address that need.

The Gunnison sage-grouse is a candidate species and the greater sage-grouse is a BLM sensitive species in several states. The BLM has a Special Status Species Policy (BLM Manual 6840) that states "… the BLM shall implement management plans that conserve candidate species and their habitats and shall ensure that actions authorized, funded, or carried out by BLM do not contribute to the need for the species to become listed" (section 6840.06C). The policy also states that …"the protection provided by the policy for candidate species shall be used as the minimum level of protection for BLM sensitive species" (section 6840.06E). Both species of sage-grouse are of interest and concern in the West and the BLM manages more of their habitat than any other entity.

As an active partner in State and local sage-grouse conservation planning efforts, the BLM is uniquely positioned to address sage-grouse habitat conservation at a larger geographic scale than is possible in more localized planning efforts. Currently, there are no habitat conservation

strategies that span the entire range of sage-grouse. This Strategy can strengthen State and local efforts by addressing habitat needs and trends on public land at an ecoregional scale and by ensuring that sage-grouse habitat needs are addressed in a comprehensive and consistent manner. The implementation of BLM's national and state-level Sage-grouse Habitat Conservation Strategies will assist the FWS in making their listing decision for the sage-grouse under the Endangered Species Act.

III. Other Sage-Grouse Related Programs, Initiatives and Efforts

Widespread concerns about sage-grouse and the extensive loss and degradation of sagebrush habitats in the West have prompted a variety of conservation-related activities. Actions described in this habitat conservation Strategy will focus on achieving conservation on BLM-managed public land but will be coordinated with and complementary to other programs, initiatives and efforts. The BLM national Strategy will address the threats posed by BLM actions, the ESA listing factors, and criteria for conservation adequacy in the Policy for Evaluation of Conservation Efforts (PECE). Related programs include the following:

1) In July 2000, the Western Association of Fish and Wildlife Agencies (WAFWA) completed a Memorandum of Understanding (MOU) between the WAFWA, the U.S. Forest Service (FS), the U.S. Fish and Wildlife Service (FWS) and the BLM. This MOU established state wildlife agencies as the lead for state and local conservation planning efforts for sage-grouse. In July 2002, WAFWA approved a proposal to develop a Conservation Assessment (CA) for sage-grouse and sage-grouse habitat to be completed in two distinct phases. Phase 1 is an assessment of sage-grouse populations and habitat status throughout their range across eleven western states. It is scheduled for completion in early 2004. Phase 2, a range wide plan for the conservation of sage-grouse and sage-grouse habitats, is scheduled for completion in 2004.

2) With increasing numbers of at-risk species in the West, the BLM, FS, FWS, and state wildlife agencies began addressing the need to coordinate more effectively for the conservation of at-risk species. In 2002, an interagency committee was formed to: a) coordinate planning level habitat assessments, mapping, evaluation, and restoration information for species of concern within sagebrush ecosystems, including sage-grouse; and b) develop or coordinate processes to integrate such information into federal land management plans. All of the projects support conservation planning for sage-grouse.

The committee adopted a regional, multi-scale approach to conservation and restoration within the sagebrush biome in an attempt to manage overall efforts more effectively. Prototype processes and projects of regional importance are being developed or are planned for the Great Basin, Columbia Plateau, Wyoming Basins, Northern Great Plains, and the Utah/Colorado Plateau. This approach will provide better information about regional threats to sage-grouse and sagebrush habitats, and improve conservation planning by prioritizing areas where conservation activities are most likely to be successful using existing and projected resources. Actions described in this Strategy are consistent with these efforts.

3) In 2002 the BLM, in cooperation with the U.S. Forest Service Pacific Northwest Research Station and U. S. Geological Service/Biological Resources Division Snake River Field Station, developed science-based procedures that use existing information to conduct regional sagebrush habitat assessments for species of concern. Following peer review, the procedures will be published and available to the public. The procedures were used to develop the prototype Great Basin assessment. Information from that assessment will be used in support of sage-grouse conservation planning, in development of the conservation assessment (CA), and the Great Basin Restoration Initiative. They will also be used to conduct, or support, prototype assessments for the other geographic regions. This Strategy is consistent with and supports these efforts.

4) Great Basin Restoration Initiative (GBRI). The GBRI was initiated by the BLM in response to widespread habitat losses from wildfires and other causes in the Great Basin. Concern over the loss of sage-grouse and other sagebrush dependent species' habitats was a significant and important factor that influenced how GBRI evolved. This Strategy is consistent with and supports these efforts.

5) Plant Conservation Alliance (PCA) is a public/private partnership among 10 federal agencies and more than 195 non-federal cooperators. In complying with Congressional direction, the PCA (through BLM) is leading an interagency native plant material development program for use in restoration and rehabilitation efforts on federal lands. Funds have been provided for the development of appropriate native plant materials within the sagebrush ecosystems. This Strategy is consistent with and supports these efforts.

6) Numerous BLM programs, plans or initiatives provide the BLM additional guidance and resources to achieve goals to conserve and/or restore sagebrush and sage-grouse habitats as described in this Strategy. Programs, plans or initiatives that provide further direction and/or incentive for maintaining healthy and productive landscapes include:

- Department of Interior (DOI) and BLM Strategic Plan
- BLM Land Use Plans
- Healthy Forests Initiative
- Special Status Species Policies (6840 Manual)
- National Fire Plan – 10-year Implementation Plan
- Energy Policy and Conservation Act (EPCA)
- Sustainable Working Landscapes Initiative
- Energy Project Streamlining

IV. Overview of Sage-Grouse Life History

Sage-grouse are relatively long-lived upland game birds that survive four to five years. Some sage-grouse populations are comprised of sub-populations of both migratory and non-migratory birds. Populations that migrate make annual movements of 45 miles or more and may have home ranges that exceed 580 square miles. Non-migratory sage-grouse often move five to six miles between seasonal habitats and use home ranges no more than 40 square miles in size.

Sage-grouse have a high fidelity to their seasonal habitats and females commonly return to the same areas to nest each year.

Seasonal habits of sage-grouse are categorized into three distinct periods: breeding (March - May); late brood-rearing (June - October); and wintering (November - February).

Breeding habitats are composed of leks, nesting habitat, and early brood-rearing areas. Depending on geographic location, use of breeding habitats occurs from March through early summer. Leks are the sites where sage-grouse engage in courtship displays and mating and are frequently referred to as "strutting grounds." Leks tend to be used year after year and are generally open areas, such as dry lakebeds, clearings on ridges, low sagebrush flats, or disturbed areas surrounded by sagebrush. Most sage-grouse nests are located within four miles of leks, although some hens may nest more than 12 miles away.

Most sage-grouse nests are located under sagebrush plants that provide overhead cover. Females nesting under plants other than sagebrush are less successful in hatching their clutch. Sagebrush canopy cover in the preferred nesting areas ranges from 15 to 30 percent. Herbaceous understory plants, primarily grasses, provide lateral screening cover and escape cover from predators. Grass and forb cover at nest sites provide a combination of visual, physical, and scent barriers to predators.

The first few weeks after hatching are considered an early brood-rearing period. Hens with chicks often spend time relatively close to the nest site but movements of up to one mile are documented. An abundance of insects, especially ants and beetles, is significant for chick survival during early brood-rearing.

Late brood-rearing habitats, used from summer into fall, usually have less dense sagebrush canopy than nesting habitats and generally have a higher proportion of grasses and forbs in the understory. Because the diet of chicks consists of forbs and insects, diverse plant communities with abundant insect populations are especially important. As vegetation becomes desiccated, especially in dry years, sage-grouse move to areas that provide more palatable vegetation. They may migrate to higher elevations that receive additional summer moisture or concentrate along riparian habitats and in hay fields adjacent to sagebrush habitats to feed on green vegetation.

During winter, sage-grouse feed almost exclusively on sagebrush leaves and buds. They tend to use the same wintering areas year after year and their movements from late brood-rearing areas to winter habitat are dependent on weather conditions and snow cover. Sagebrush canopy cover can be highly variable on winter habitats, but it is critical that sagebrush be exposed at least 10 to 12 inches above snow. If snow covers sagebrush normally used by sage-grouse, they will move to more suitable foraging areas.

V. Threats and Risks to Sage-Grouse and Sage-Grouse Habitat

No single factor can be identified as the cause of declines in sage-grouse populations. Since settlement of the West began, numerous activities have adversely affected the number of birds and the amount, distribution, and quality of sagebrush habitats. Historically, around 220,000,000 acres of sagebrush-dominated vegetation existed in North America making it one of the most widespread habitats in the country. More than 80 percent of sagebrush ecosystems have been lost or altered in some way by human and naturally occurring activities.

The sources and scope of impacts to sage-grouse and their habitats have increased over time on both public and private lands. Some activities, such as large-scale conversion of sagebrush to cultivated croplands or pastures and intensive livestock grazing practices, are of concern but less common today than in the past. Other uses of public land, such as energy development and recreational activities, because of the drastic reduction in suitable quality sage-grouse habitat, are now of greater concern than previously. Recreational uses, particularly off-highway-vehicles, are increasing in remote areas as well as in the vicinity of urban centers. This can increase direct contact between humans and sage-grouse as well as increase degradation and fragmentation of habitat. Intensifying energy development can similarly increase contact with humans and intensify habitat fragmentation. We do not yet know how populations respond to cumulative effects caused by more intensive historical uses coupled with new activities and associated impacts.

The following paragraphs summarize major threats and risks that have affected and continue to impact sage-grouse populations and their habitats.

Habitat Loss and Degradation – Complete loss of sage-grouse habitat has been pervasive, particularly in regions with soils suited for agricultural use. Over 47% of suitable habitat in the historical range of sage-grouse has been lost.

Degradation of habitat occurs through uses that alter the composition, structure, and density of plant species in healthy sagebrush ecosystems and also the distribution of those ecosystems across the landscape. Seeding practices can increase dominance of nonnative species, reducing the value of that habitat to sage-grouse. Activities such as heavy grazing diminish food supply and cover needed by sage-grouse and result in decreased use of those degraded habitats. Mineral extraction activities that lower the water table result in loss or reduction of herbaceous riparian vegetation used in late summer and fall. Degradation of sagebrush habitat usually occurs incrementally. However, the results are cumulative and, if severe, will result in abandonment.

Fragmentation - Sage-grouse need contiguous, undisturbed areas of high-quality habitat during different phases of their life cycle. Isolation of breeding habitat from brood-rearing areas increases the likelihood of low chick survival. Isolation of leks from nesting habitat causes low reproduction rates. Unlike some species of birds, sage-grouse are not able to adapt readily to discontinuous habitat.

Roads, traffic and human activity can create noise that interferes with strutting activities or causes birds to avoid traditional use areas. Road and trail development may increase both legal and illegal harvest of grouse. Development of water sources for human consumption, irrigation, and live-stock management may alter springs and associated riparian habitats that provide important watering and foraging areas.

Surface disturbance from construction activities such as pipelines, power lines and other rights-of-way, and recreational use of off-highway vehicles and mountain bikes, can create trails and roads that further degrade and fragment sage-grouse habitats.

Mineral development activities involve the extraction of such minerals as gold, coal, uranium, trona, bentonite, oil, and natural gas. Potential impacts to sage-grouse, specifically from mineral extraction activities, include habitat loss from mine and well construction, increased human activity including noise, mortality associated with evaporation ponds, and lowering of the water table that results in loss or reduction of herbaceous riparian vegetation. These disturbances, both individually and in combination, can result in fragmentation of sage-grouse habitat.

Disposal of BLM public land may also remove sage-grouse habitat from federal ownership and result in habitat loss, degradation, or fragmentation if that land is converted to other purposes, such as row-crops agriculture or landfills. Landfills can become highly attractive to scavenging animals that are also predatory, such as foxes, coyotes and ravens.

Altered Fire Regimes - Altered wildfire regimes are believed to be the single, most important, negative influence on sage-grouse habitat in the western portion of the species' ranges. Most species of sagebrush are killed by fire. Repeated wildfires, fueled by the exotic annual cheatgrass (*Bromus tectorum*) and other exotic species, alter vast acres of sage-grouse habitat in the Great Basin, Columbia Plateau, and other ecoregions of the West. Cheatgrass alters fire frequency from historic intervals of 30 to 110 years to shorter cycles of 5 years or less. Sagebrush does not re-establish under frequent fire cycles. This situation increases the potential for large fires, carrying a threat for additional cheatgrass invasion onto adjacent areas not yet dominated by cheatgrass. Native sagebrush communities may not reestablish under this fire regime and conditions favorable to sage-grouse may not be available in the future in these areas. Inappropriate use of prescribed fire can also contribute to the loss of sagebrush if sagebrush is converted to grass-dominated habitats.

Sagebrush Destruction - Prior to the 1980s, herbicide treatment of large tracts of rangeland was a common method of reducing sagebrush. Thus broad herbicide treatment may have contributed to declines in sage-grouse breeding populations. Use of mechanical treatments such as mowing, harrowing, and chaining of sagebrush have generally been more local in nature, but can adversely affect sage-grouse habitat if applied on a broad scale. Even small-scale projects can be damaging if conducted in the wrong location.

Conifer Woodland Encroachment - In some areas of the sagebrush biome, juniper (*Juniperus spp.*) and pinyon pine (*Pinus monophylla*) once existed as open, savannah-like woodlands that

were maintained by relatively frequent fires. Such conifer woodlands have an understory that includes various sagebrush species and associated plant communities. Since the 1880s, the stand density and distribution of conifer woodlands have increased in many areas. As they expand into sagebrush communities, contiguous sagebrush stands are reduced in size and diverse grasses and forbs utilized by sage-grouse are diminished. Increased livestock grazing in the late 1800s and early 1900s contributed to a reduction in fuels that could carry fire, thereby decreasing fire frequency and contributing to accelerated conifer woodland invasion into sagebrush associations. Fire suppression policies generally lengthen fire-return intervals in conifer-dominated habitats allowing for increased cover densities. While restoration of lands dominated by conifer woodlands may benefit sage-grouse, inappropriate post-fire treatment can enable re-invasion by exotic annual grasses and impede native plant recovery.

Weed Infestation - Invasive species affect the long-term productivity of sagebrush habitats by altering their natural composition and replacing native species essential for sage-grouse survival. Although cheatgrass proliferation is widespread, increases in other invasive plants and noxious weeds are also adversely affecting sagebrush habitats. Various activities can accelerate weed infestations on public lands, including surface-disturbing activities such as construction of pipelines, communication towers, wind turbines and power lines, and trenching of fiber-optic lines. Other surface-disturbing activities, such as the use of off-highway vehicles for recreation or mineral exploration, livestock grazing and herding, and even high levels of recreational hiking can create avenues for the establishment of non-native plants that degrade and further fragment sage-grouse habitats. In 1996, the spread of invasive species and noxious weeds was estimated to be at least 2,300 acres per day on BLM public land alone. That rate is believed to be even higher now.

Rehabilitation Challenges - The lack of prompt and appropriate habitat rehabilitation following wildfires can present additional threats to sage-grouse habitat. In extreme fire years, large acreages of sagebrush burn and the supply of native seed is not sufficient to meet post-fire rehabilitation needs. In some cases, sagebrush and forb seeds are minimal in rehabilitation mixtures while the proportion of species such as crested wheatgrass is high. Because of their forage value for livestock, ready establishment and low expense, non-native wheatgrasses are often used in post-fire rehabilitation more than native species. A high proportion of wheatgrass may allow the non-native species to dominate the site and limit the natural reestablishment of native grasses and forbs. Many crested wheatgrass seedings are regularly burned or chemically treated ("maintained") to prevent re-establishment of sagebrush and, as a result, prevent other native species from re-colonizing. Excessive livestock or ungulate grazing too soon after post-fire rehabilitation seeding can lead to permanent reductions in food plants and nesting cover.

Reclamation practices for all types of surface-disturbing activities often include seed mixes that do not contain a high proportion of sagebrush, native forbs, and grasses. Such seeding practices contribute to the increased dominance of nonnative species detrimental to sage-grouse.

Pesticide Applications - Insecticides and fungicides can have negative effects on sage-grouse survival when applied to agricultural fields and rangelands. Insecticides are applied to control

grasshoppers and other insects on public land. The effects on sage-grouse vary greatly depending on the timing, location and size of grasshopper outbreaks. Many insecticides are used to kill other insects important to sage-grouse. Although many pesticides are shown to have a low toxicity to birds, their application overlaps the early and late brood-rearing period when chicks are highly dependent on insects for survival and most vulnerable to starvation.

Drought - Drought leads to increased competition for food and cover between sage-grouse and grazing animals, such as livestock, wild horses, and big game unless prompt actions are taken to prevent overuse. Drought exacerbates any adverse effects to soil and vegetation resulting from inappropriate grazing and insect outbreaks. Timely adjustments in usage during drought can allow for plant regrowth on uplands and in wet meadows and riparian areas, and can maintain the improved condition of rangeland made under more normal precipitation.

Structures - Power lines, wind turbines, water developments and fences may adversely affect sage-grouse habitat by causing fragmentation, reduced habitat effectiveness, or a reduced amount of habitat available. Power lines, fences and similar structures provide perches for birds of prey. Predatory birds, including ravens, may forage up to 20 or more miles away from power lines. Mortality of sage-grouse through collisions with fences, power lines and other structures has been documented. Birds that do not die immediately from collisions become prey for predators. Rangeland management projects, including spring developments, water pipelines and fencing, expand areas of livestock, wild horse and wildlife use into areas that were once only sporadically or lightly used. Improperly designed water developments can alter historic use areas and eliminate important habitat components, such as wet meadows that are key to brood-rearing.

Inadequate Regulatory Mechanisms – The U.S. Fish and Wildlife Service uses five listing factors as outlined in 50CFR § 424.11 to determine if listing of a species is warranted under the Endangered Species Act. Factor 4, the inadequacy of existing regulatory mechanisms, is one factor that relates specifically to existing laws, regulations or policies that are in place and that will ensure adequate protection and conservation of a species. In the context of federal land management agencies, the FWS considers the adequacy of existing regulations, policies and management direction that the agency has in its land management planning decisions. In a recent example, the FWS determined that both the BLM and the Forest Service land use plans did not contain sufficient management direction in their plans to ensure the conservation of habitat needed by the Canada lynx. As a result, this finding contributed to the FWS decision to list the lynx as threatened.

Currently there are no requirements beyond agency policy that BLM land use plans specifically address the conservation needs of special status species. Regulatory requirements to ensure consistency across all BLM plans may be needed to ensure that land use plans contain adequate management direction that addresses any or all of the five listing factors below:

1. The present or threatened destruction, modification, or curtailment of the species' habitat or range;
2. Over-utilization for commercial, recreational, scientific, or educational purposes;
3. Disease or predation;

4. The inadequacy of existing regulatory mechanisms (such as, having sufficient conservation measures specified in land management plans);
5. Other natural or manmade factors affecting the species survival (such as, the role of invasive plants and/or wildfires in modifying habitat suitability).

The BLM does have considerable regulatory control for some programs that typically are implemented at the project or site-specific level. Examples include grazing permit stipulations, and stipulations or conditions of approval to protect fish and wildlife and their habitats in oil and gas Applications for Permits to Drill (APDs), plans of operation, oil and gas leases, special use permits, rights-of-way, etc. Consequently, it is critical that the BLM place enforceable requirements (such as, conditions of approval, stipulations, etc.) in all authorizations on sage-grouse range where habitat conservation or protection is an issue.

The Fish and Wildlife Service's Policy for Evaluation of Conservation Efforts when Making Listing Decisions (PECE) considers regulatory mechanisms, such as laws, regulations and ordinances important to the conservation of species. This policy applies to conservation agreements, conservation plans, management plans or similar documents developed by federal agencies, state and local governments, Tribal governments, businesses, organizations and individuals. The two basic criteria used by the FWS to analyze conservation efforts, such as the BLM Sage-Grouse Habitat Conservation Strategy, are: 1) the certainty that the conservation efforts will be implemented, and 2) the certainty that the efforts will be effective. To consider that a formalized conservation effort contributes to forming a basis for not listing a species, the FWS must find that the two criteria are met and that they have contributed to the elimination or adequate reduction of one or more of the threats to the species identified through the Section 4(a)(1) analysis of ESA.

VI. Guiding Principles

The BLM Sage-grouse Habitat Conservation Strategy is two-tiered. This national Strategy establishes a framework to provide direction and guidance for conserving and managing sage-grouse habitats on BLM-managed public land. BLM State Offices will implement the second-tier by developing individual BLM state-level strategies linked to the national Strategy.

The following principles are fundamental to sage-grouse conservation and recovery on BLM-administered public land. These principles are the foundation of the national BLM Strategy and the BLM state-level strategies and must be applied, implemented and monitored to conserve sage-grouse and sage-grouse habitats.

•Approximately half of the remaining sage-grouse habitat is under BLM jurisdiction and management, therefore BLM land plays a significant role in the conservation of sage-grouse.

•The BLM will use the best available science and other relevant information to develop this Strategy.

•Actions carried out under this Strategy will be fully consistent with laws, regulations and policies.

•The Strategy must address applicable Endangered Species Act (ESA) listing factors that the U.S. Fish and Wildlife Service (FWS) considers when evaluating the need to list a species.

•The FWS Policy for Evaluation of Conservation Efforts (PECE) (*Federal Register*, March 18, 2003) will be used to determine the adequacy of the BLM national Strategy and state-level strategies.

•Involvement of interdisciplinary teams is the key to development and implementation of the national BLM Strategy.

•The BLM Strategy will contain clearly defined tasks and measurable accomplishments.

•Development and implementation of this Strategy is consistent with, and supports implementation of, the DOI and BLM National Strategic Plans.

•The BLM Strategy will complement State-led sage-grouse conservation planning efforts and allow for integration of State- and local-level conservation actions. Through this cooperation, appropriate actions will be identified to conserve sage-grouse habitat on BLM-managed public land.

•BLM land use plans and associated implementation plans are the principal mechanisms for making decisions and conducting actions to conserve and restore sage-grouse habitats on BLM-managed public land. Land use plans will be amended as needed to adequately address sage-grouse conservation needs.

•BLM Rangeland Health Standards are a key mechanism for evaluating the condition of sage-grouse habitat. As Standards are addressed or additional program guidelines are developed, BLM Resource Advisory Councils (RACs) will be consulted.

•Consultation, cooperation and communication among State and federal agencies, tribes, stakeholders, BLM Resource Advisory Councils within states, and the conservation community are essential for achieving successful conservation results. Partnerships both inside and outside the BLM will be fostered at every opportunity.

•The BLM will capitalize on existing national or regional initiatives, such as the Great Basin Restoration Initiative (GBRI) and the Plant Conservation Alliance (PCA), that benefit sage-grouse and sage-grouse habitat.

•The BLM will share, as appropriate and authorized, all pertinent information useful in conserving sage-grouse and sage-grouse habitat.

•The BLM will annually report progress in implementing this Strategy. Modifications to the national Strategy will incorporate measures needed to ensure the conservation of sage-grouse and their habitats on BLM-managed public land.

•Successful implementation of this Strategy requires a long-term commitment from BLM managers and staff across all programs and at every level of the organization.

VII. Vision, Goals, Strategies and Actions

Vision: Manage BLM-administered public land to maintain, enhance and restore sage-grouse habitats while providing for sustainable uses of those lands.

The following table, which was developed by an interdisciplinary team during a workshop in Boise, Idaho, during May 4-7, 2003, identifies the actions, responsible party, and time frame for each action. Additional actions, ideas and materials produced at the workshop are compiled and available for future tasks and team efforts related to development of state-level strategies.

VII. Vision, Goals, Strategies and Actions *(continued)*

Goal 1: <u>Develop a consistent and effective management framework for addressing conservation needs of sage-grouse on BLM-managed public lands.</u>

Strategy 1.1: Identify and prepare needed national regulations, policies and program direction.

Actions	Responsibilities	Time Frame
1.1.1 Issue National BLM Sage-Grouse Habitat Conservation Strategy.	Director,WO-230 (Lead)	September 2003
1.1.2 Issue guidance to the states for development of BLM state-level strategies. Guidance will: address ecoregional conservation considerations and the adequacy of existing land use plans for sage-grouse conservation; identify land use allocations that conflict with species needs using the sage-grouse matrix; and provide a standardized state-level strategy format and a template for evaluating the adequacy of state-level strategies.	WO-200 (Lead); WO-300	October 2003
1.1.3 Director approves BLM state-level strategies	Director	January 2005
1.1.4. Pursue rulemaking to develop regulations based on Bureau's Special Status Species Manual (Manual 6840).	WO-230	November 2004
1.1.5 Complete the sage-grouse matrix to be used in determining the effects of BLM ongoing activities and land use plans.	WO-200 (Lead), WO-300	October 2003
1.1.6 Issue off-site habitat mitigation policy, identifying limitations and opportunities for funding and implementation across programs.	WO-300 (Lead); WO-200	January 2005

Strategy 1.2: Clarify the agency's commitment to apply Land Health Standards.

Actions	Responsibilities	Time Frame
1.2.1 Restate Bureau policy through Instruction Memorandum applying Land Health Standards to all BLM-managed public land and programs.	WO-200 (Lead); WO-300	November 2003
1.2.2 Identify additional Land Health indicators as necessary, in consultation with RACs, to provide adequate information for all programs.	WO-200 (Lead); WO-300	December 2005

Strategy 1.3: Issue interim management guidelines.

Action	Responsibilities	Time Frame
1.3.1 Issue interim management guidelines that can be applied without amending land use plans.	WO-200 (Lead), WO-300	September 2003

Strategy 1.4: Provide guidance to incorporate sage-grouse conservation needs in land use planning for all programs.

Actions	Responsibilities	Timeframe
1.4.1 Issue supplemental planning guidance for Land Use Planning Handbook, H-1601, Appendix C.	WO-200 (Lead), WO-300	October 2004
1.4.2 Develop a process and schedule to update deficient land use plans to address sage-grouse needs.	State Directors	October 2004
1.4.3 Issue guidance to ensure land use plans under development, especially time sensitive plans, adequately address sage-grouse conservation needs.	WO-200 (Lead), WO-300	October-03

Strategy 1.5: Develop guidance for assessing cumulative impacts to sage-grouse and their habitats.

Actions	Responsibilities	Timeframe
1.5.1 Determine if ecoregional NEPA analyses are needed to adequately describe and assess cumulative impacts.	WO-200 (Lead), WO-300	July 2004

Strategy 1.6: Provide guidance to ensure sage-grouse conservation needs are considered in all activities, including implementation-level plans.

Actions	Responsibilities	Timeframe
1.6.1 Issue program guidance, including Best Management Practices, for incorporating sage-grouse conservation in: • fire management plans, including fire suppression activities, post-fire management; • travel management plans, including concentrated use, route proliferation in key sage-grouse habitat; • plans of operations, including dust abatement, access, off-site mitigation; • grazing management plans, including timing of use, location of range developments; and • vegetation management plans, including methods of treatment, timing of treatment, post-treatment management.	WO-200 (Lead), WO-300 and Fire	November 2004

Goal 2: <u>Increase our understanding of resource conditions and priorities for habitat maintenance and restoration.</u>

Strategy 2.1: Complete and periodically update broad-scale eco-regional assessments of sagebrush and sage-grouse habitats across the sagebrush biome.

Actions	Responsibilities	Timeframe
2.1.1 Develop national spatial data sets for multi-scale assessments. Data sets include transportation, utility, major disturbance areas.	WO-200 (Lead),WO-300, State Directors, NSTC	September 2006
2.1.2 Complete ecoregional assessments of the Wyoming Basins, Northern Great Plains and Colorado Plateau.	WO-230 (Lead), State Directors	September 2006
2.1.3 Update ecoregional assessments for the Columbia Basin and Great Basin.	WO-230 (Lead), State Directors	September 2008
2.1.4 Complete state-level mapping of sage-grouse/sagebrush habitats and disturbance regimes.	State Directors (Lead), NSTC	January 2004
2.1.5 Participate in preparation of the WAFWA range-wide sage-grouse conservation assessment.	WO-230 (Lead), State Directors	January 2004

Strategy 2.2: Provide a consistent approach for incorporating broad- and mid-scale assessment information into land use planning.

Actions	Responsibilities	Timeframe
2.2.1 Complete preparation of Southeast Oregon RMP case history for applying multi-scale information.	WO-230 (Lead), DSDs, NSTC	October 2003
2.2.2 Develop standard terminology for describing sage-grouse habitats (key, suitable, stronghold, restoration, crucial, developed, etc.) for consistent use in all forthcoming documents.	WO-200 (Lead), NSTC	December 2003

2.2.3 Issue guidance for incorporating multi-scale assessment information into land use planning. Include guidance on: how to develop conservation strategies for sage-grouse; incorporating mid- and fine-scale assessments; for considering risk factors at multi-scales when analyzing cumulative impacts. Use information from GBRI and other initiatives.	WO-200 (Lead), NSTC	April 2003

Strategy 2.3: Provide a consistent approach for assessing sage-grouse and other special status species needs at the fine scale, e.g., implementation and project plans.

Actions	Responsibilities	Timeframe
2.3.1 Complete the development of BLM sage-grouse habitat assessment methodology.	WO-200	November 2003
2.3.2 Issue guidance for incorporating fine-scale assessment information into implementation and project plans.	WO-200 (Lead), NSTC	April 2005

Strategy 2.4: Establish monitoring protocols consistent with land health standards and assessment methods to describe conditions and trends at multiple scales (national, regional, state, planning area levels).

Actions	Responsibilities	Timeframe
2.4.1 Issue minimum standards for monitoring resource conditions and trend, and project implementation and effectiveness. Base monitoring standards on land health indicators.	WO-200	October 2004

Goal 3: <u>Expand available research and information support effective management of sage-grouse habitat.</u>

Strategy 3.1: Identify, prioritize and support needed research.

Actions	Responsibilities	Timeframe
3.1.1 Establish an interagency, interdisciplinary technical team to: identify priority information needs and sources of research information (for example, West Nile virus, fugitive dust, habitat recovery and restoration); review research proposals; serve as a clearinghouse for funding; and assess trends at multi-scales from local, state and landscape scales.	WO-200	December 2003

Strategy 3.2: Facilitate the collection, transfer and sharing of information among all BLM programs and external interests.

Actions	Responsibilities	Timeframe
3.2.1 Issue minimum standards for data collection and reporting at state, regional and national levels that are compatible with externally developed data and information.	WO-200 (Lead), WO-880	December 2006
3.2.2 Provide training to ensure Bureau-wide understanding of sage-grouse habitat requirements across all disciplines.	WO-230 (Lead), NTC	December 2005
3.2.3 Identify cooperative funding and/or other mechanisms for data collection, reporting and dissemination related to sagebrush and sage-grouse habitats.	WO-200	July 2004

3.2.4 Determine the need for an interagency sagebrush habitat technical team to provide leadership in the management of sagebrush habitats (similar to the National Riparian Service Team).	WO-200	June 2004
3.2.5 BLM personnel available to participate in, or cooperatively develop, external training programs to further an understanding of sagebrush and sage-grouse habitat management.	WO-200 (Lead), WO-300	December 2003

Goal 4: <u>Develop partnerships to enhance effective management of sage-grouse habitats.</u>

Strategy 4.1: Develop and implement a partnership strategy for all activities associated with sage-grouse conservation.

Actions	Responsibilities	Timeframe
4.1.1 Develop partnerships at the national level to support development and implementation of the habitat conservation Strategy.	WO-610 (Lead), WO-170, WO-200, WO-300, State Directors	December 2003
4.1.2 Establish state and local partnerships to implement the tasks outlined in the BLM state-level strategies.	State Directors, Field Managers	January 2005

Strategy 4.2: Effectively communicate BLM's sage-grouse habitat conservation goals throughout BLM and to current and prospective partners.

Actions	Responsibilities	Timeframe
4.2.1 Complete a comprehensive communications plan for the national sage-grouse Strategy, including internal and external audiences.	WO-610 (Lead), WO-200, WO-300	November 2003
4.2.2 Complete the communications plan for state-level sage-grouse strategies, including internal and external audiences.	State Directors (Lead), Public Affairs, Field Managers	October 2004

Goal 5: <u>Ensure leadership and resources are adequate to implement national and state-level sage-grouse habitat conservation strategies.</u>

Strategy 5.1: Establish adequate budget to implement the Strategy.

Actions	Responsibilities	Timeframe
5.1.1 Identify annual budget requirements to implement the Bureau's Sage-grouse Habitat Conservation Strategy.	WO-200 (Lead), WO-300, WO-880	Annually
5.1.2 Direct and fund Strategy implementation in all appropriate programs through the Annual Work Plan.	WO-200 (Lead), WO-300, WO-880	Annually
5.1.3 Identify potential funding mechanisms for implementation of the Strategy. Example: Establish an account, similar to 8100, in which proceeds from trespass fees, fines, permit fees, donations, etc., are dedicated to habitat restoration and/or mitigation.	WO-200 (Lead), WO-300, WO-880	March 2004

Strategy 5.2: Develop BLM state-level strategies for sage-grouse habitat conservation on BLM-managed public lands.

Actions	Responsibilities	Timeframe
5.2.1 Establish state-level interdisciplinary teams to prepare strategies.	State Directors (Lead), Field Office Managers	January 2004
5.2.2 Consult with States, RACs, Councils, tribes, other agencies, stakeholders, and interested publics in preparation of draft BLM state-level strategy.	State Directors (Lead), Field Office Managers	October 2003
5.2.3 Prepare and submit proposed BLM state-level strategy to national strategy team for review and comment.	State Directors (Lead)	October 2004

VIII. Outreach and Coordination

Reversing sage-grouse populations trends depends on internal BLM cooperation, strong partnerships, and public support. A national-level Communication Plan has been written to identify audiences, key messages and the products necessary to build strong support for implementation of the national and state-level strategies. Actions identified in both strategies require public involvement and/or interagency coordination. The Communication Plan recommends multiple communication tools to use at different stages of planning across all levels of the agency. Updates on the national Strategy will be distributed throughout the year at natural resource conferences to provide participants with current information about BLM activities.

Stakeholders will receive a letter from BLM Director Kathleen Clarke explaining the need to develop this Sage-Grouse Habitat Conservation Strategy and asking for input to complete and implement it.

Educational materials are now available from BLM state External Affairs offices to assist in developing state-level communication plans. A Questions and Answers (Q&A) document, a PowerPoint presentation, and a one-page summary Update of the Sage-grouse Habitat Conservation effort are available. A Web site will be activated for the public to learn about the plight of sage-grouse and to read and comment on the draft national Strategy. Comments received on the national Strategy will facilitate the development of BLM state-level strategies.

The BLM Strategy is coordinated with the Western Association of Fish and Wildlife Agencies so that BLM actions will complement ongoing sage-grouse conservation planning efforts led by State agencies. BLM State Directors will ensure that all state Resource Advisory Councils (RACs) and the national RAC are made aware of the need to develop BLM state-level strategies and are consulted, as appropriate, in their development.

IX. Budget and Staffing

Implementation of the strategies requires a significant commitment of staff and resources. To offset the challenges posed by limited budgets and staffing, we must seek creative funding sources and capitalize on existing programs and initiatives. New and expanded partnerships, shared funding across BLM programs, new funding initiatives, and adjusted priorities may be necessary.

Funding needs for implementation will be identified annually in each program budget and incorporated into the BLM budget process. The immediate and short-term actions can be accomplished within projected BLM funding for FY 2004 and FY 2005 if sage-grouse conservation is given priority across all BLM programs. Significant staff participation is necessary for developing state-level strategies in FY 2004. Shifts in workload priorities are anticipated. As implementation of the strategies occurs, dollars to fund habitat protection, enhancement and restoration will be requested in FY 2005 and future out-years. More definitive budget figures will be available after States complete state-level strategies, but cost estimates to implement the strategies range from $1 million to $8 million annually. Although expensive, these costs are less than what it would cost to implement programs in sage-grouse habitat if sage-grouse become listed as threatened or endangered under the ESA. Proactive steps to conserve sage-grouse and their habitats on BLM-managed public lands can influence the need to list sage-grouse.

X. Implementation Schedule

The implementation schedule identifies the actions in chronological order. Immediate tasks are to be accomplished within six months from the date of Strategy approval, short-term tasks within two years, and long-term tasks within eight years. The Implementation Schedule also identifies actions that will be done annually.

Immediate Actions: September 2003 through January 2004

Actions	Due Dates and Responsibilities
1.1.1 Issue National BLM Sage-Grouse Habitat Conservation Strategy.	September 2003 Director, WO-230 (Lead)
1.3.1 Issue interim management guidelines that can be applied without amending land use plans.	September 2003 WO-200 (Lead), W0-300
1.1.2 Issue guidance to the states for development of BLM state-level strategies. Guidance will address: ecoregional conservation considerations; the adequacy of existing land use plans for sage-grouse conservation; identify land use allocations that conflict with species needs using the sage-grouse matrix; and provide a standardized strategy format and a template for evaluating the adequacy of state strategies.	October 2003 WO-200 (Lead), WO- 300
1.1.5 Complete the sage-grouse matrix to be used in determining the effects of BLM ongoing activities and land use plans.	October 2003 WO-200 (Lead), WO-300
1.4.3 Issue guidance to ensure land use plans under development, especially time sensitive plans, adequately address sage-grouse conservation needs.	October 2003 WO-200 (Lead), WO-300
2.2.1 Complete preparation of Southeast Oregon RMP case history for applying multi-scale information.	October 2003 WO-230 (Lead), DSDs, NSTC
5.2.2 Consult with States, Resource Advisory Councils, tribes, other agencies, stakeholders, and interested publics in preparation of draft BLM state-strategy.	October 2003 State Directors (Lead), Field Office Managers
1.2.1 Restate Bureau policy through IM applying Land Health Standards to all BLM lands and programs.	November 2003 WO-200 (Lead), WO-300
4.2.1 Complete a comprehensive communications plan for the national sage-grouse strategy including both internal and external audiences.	November 2003 WO-610 (Lead), WO-200, WO-300
2.3.1 Complete the development of BLM sage-grouse habitat assessment methodology.	November 2003 WO-200
3.1.1 Establish an interagency, interdisciplinary technical team to: identify priority information needs and sources of research information (for example, West Nile virus, fugitive dust, habitat	December 2003 WO-200

recovery and restoration); to review research proposals; to serve as a clearinghouse for funding; and to assess trends at multi-scales from local, state and landscape scales.	
3.2.5 BLM personnel available to participate in, or cooperatively develop, external training programs to further an understanding of sagebrush and sage-grouse habitat management.	December 2003 WO-200 (Lead), WO-300
4.1.1 Develop partnerships at the national level to support development and implementation of the habitat conservation strategy.	December 2003 WO-610 (Lead), WO-200, WO-300, State Directors
2.1.4 Complete state-level mapping of sage-grouse/sagebrush habitats and disturbance regimes.	January 2004 State Directors (Lead) NSTC
2.1.5 Participate in preparation of the WAFWA range-wide sage-grouse conservation assessment.	January 2004 WO-230 (Lead), State Directors
5.2.1 Establish state-level interdisciplinary teams with appropriate disciplines to prepare strategies.	January 2004 State Directors (Lead), Field Office Managers

Short Term Actions: March 2004 through April 2005

5.1.3 Identify potential funding mechanisms for implementation of the strategy. Example: Establish an account, similar to 8100, in which proceeds from trespass fees, fines, permit fees, donations, etc are dedicated to habitat restoration and/or mitigation.	March 2004 WO-200 (Lead), WO-300, WO-880
3.2.4 Determine the need for an interagency sagebrush habitat technical team to provide leadership in the management of sagebrush habitats (similar to the National Riparian Service Team).	June 2004 WO-200
1.5.1 Determine if ecoregional NEPA analyses are needed to adequately describe and assess cumulative impacts (e.g., mineral leasing decisions).	July 2004 WO-200 (Lead), WO-300
3.2.3 Identify cooperative funding and/or other mechanisms for data collection, reporting and dissemination related to sagebrush and sage-grouse habitats.	July 2004 WO-200
1.4.1 Issue supplemental planning guidance for Land Use Planning Handbook, H-1601, Appendix C.	October 2004 WO-200 (Lead), WO-300
1.4.2 Develop a strategy and schedule to update deficient land use plans to address sage-grouse needs.	October 2004 State Directors
2.4.1 Issue minimum standards for monitoring resource conditions and trend, and project implementation and effectiveness. Base monitoring standards on land health indicators.	October 2004 WO-200 (Lead)

4.2.2 Complete the communications plan for state-level sage-grouse strategies for both internal and external audiences.	October 2004 State Directors (Lead), Public Affairs, Field Managers
5.2.3 Prepare and submit proposed BLM state-level strategy to national strategy team for review and recommendations.	October-04 State Directors (Lead)
1.1.4. Pursue rule making to develop regulations based on the Bureau's Special Status Manual (Manual 6840).	November 2004 WO-230
1.6.1 Issue program guidance including BMPs for incorporating sage-grouse conservation in: • fire management plans, including fire suppression activities, post-fire management, • travel management plans, including concentrated use, route proliferation in key sage-grouse habitat, • plans of operations, including dust abatement, access, off-site mitigation, • grazing management plans, including timing of use, location of range developments, • vegetation management plans, including methods of treatment, timing of treatment, post-treatment management.	November 2004 WO-200 (Lead), WO-300 and Fire
1.1.3 Director approves BLM state strategies.	January 2005 Director
1.1.6 Issue off-site habitat mitigation policy, identifying limitations and opportunities for funding and implementation across programs.	January 2005 WO-300 (Lead); WO-200
4.1.2 Establish state and local partnerships to implement the tasks outlined in the BLM state-level strategies.	January 2005 State Directors, Field Managers
2.2.3 Issue guidance for incorporating multi-scale assessment information into land use planning. Include guidance on: how to develop conservation strategies for sage-grouse; incorporating mid and fine-scale assessments; for considering risk factors at multi-scales when analyzing cumulative impacts. Use information from GBRI and other initiatives.	April 2005 WO-200 (Lead), NSTC
2.3.3 Issue guidance for incorporating fine-scale assessment information into implementation and project plans.	April 2005 WO-200 (Lead), NSTC

Long Term Actions: December 2005 through September 2008

1.2.2 Identify additional Land Health indicators as necessary, in consultation with RACs, to provide	December 2005 WO-200 (Lead); WO-300

adequate information for all programs.	
3.2.2 Provide training to assure Bureau-wide understanding of sage-grouse habitat requirements across all disciplines.	December 2005 WO 230 (Lead), NTC
2.1.1 Develop national spatial data sets for multi-scale assessments. Data sets include transportation, utility, major disturbance areas.	September 2006 WO-200 (Lead), WO-300, State Directors, NSTC
2.1.2 Complete eco-regional assessments of the Wyoming Basins, Northern Great Plains and Colorado Plateau.	September 2006 WO-230 (Lead), State Directors
3.2.1 Issue minimum standards for data collection and reporting at state, regional and national levels that is compatible with externally developed data and information.	December 2006 WO 200 (Lead), WO-880
2.1.3 Update eco-regional assessments for the Columbia Basin and Great Basin.	September 2008 WO-230 (Lead), State Directors

Annual Actions

5.1.1 Identify annual budget requirements to implement the Bureau's Sage-grouse Habitat Conservation Strategy.	WO-200 (Lead), WO-300, WO-880
5.1.2 Direct and fund strategy implementation in all appropriate programs through the Annual Work Plan.	WO-200 (Lead), WO-300, WO-880

XI. Effectiveness Monitoring

Implementation of the actions outlined in the national and state sage-grouse habitat conservation strategies will be monitored and progress reported annually. The effectiveness of implementing actions outlined in both the national and state strategies will require an assessment process that includes 'before and after' project evaluation of habitat conditions. This assessment process is currently being developed (see Strategy 2.4.1). The assessment process will be incorporated into BLM's land health assessment process for evaluating indicators of healthy rangelands.

XII. Authorities and Responsibilities

The BLM, as a federal agency, is guided in all activities by national laws, regulations, policies and handbooks. Collectively, these frame the BLM's "regulatory mechanisms" as they pertain to sage-grouse conservation as discussed in Section 4 of the Endangered Species Act. There are many of these authorities that have a bearing on sage-grouse conservation and in this section only the most relevant are discussed.

A. Laws

There are three major federal laws that provide the authority for this national Strategy:

- **Federal Land Policy and Management Act (FLPMA) of 1976 (43U.S.C. 1701 *et seq*.), as amended.**

This is the primary federal law that governs most land uses on BLM-administered lands. It directs BLM to develop and maintain land use plans that are based on inventories of these lands and the resources they support. Among other things, this Act gave fish and wildlife resources equal standing with the other traditional public uses of BLM administered lands. Section 102(a)(8) states: "The Congress declares that it is the policy of the United States that the public lands be managed in a manner that will....provide food and habitat for fish and wildlife…."

- **Endangered Species Act of 1973 (16U.S.C. 1531 *et seq.*), as amended.**

Provisions of the ESA, as amended, apply to plants and animals that have been listed as endangered or threatened, those proposed for being listed, and designated and proposed critical habitat. While this Act does not directly apply to sage-grouse conservation now it provides the impetus behind BLM=s national policy to identify and manage for sensitive species such that BLM management of public lands does not contribute to the need to list these species under the ESA in the future (see section on BLM Special Status Species Management Policy).

- **Sikes Act of 1974, Title II (16 U.S.C. 670g *et seq.*), as amended**.

This Act directs the Secretaries of Interior and Agriculture to, in cooperation with the State agencies, develop plans to..... A develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish and game. Such conservation and rehabilitation programs shall include, but not limited to, specific habitat improvement projects, and related activities and adequate protection for species considered threatened or endangered.@

B. Regulations

Once a law is enacted, the administering federal agency(s) promulgates rules and regulations to guide implementation, as appropriate. These regulations set the framework for national policy and can in some instances provide implementation direction. As such, regulations are a very important "regulatory mechanism" that the BLM uses to administer land uses on public lands it manages. For the BLM, there are several sets of regulations associated with implementing FLPMA and other laws. Most of the regulations that may affect BLM management guidance concerning sage-grouse

management are found in Section 43 Code of Federal Regulations although some, such as the Council of Environmental Policy regulations, are found in other portions of the CFR.

43CFR Subpart C, Minerals Management 3000 Series, contains regulatory authority for BLM operations, enforcement and reclamation of minerals actions on public lands.

43CFR Subpart 4120, Grazing Management, contains the regulatory authority for grazing administration, use authorizations, permit terms and conditions for achieving resource condition objectives. Subparts 4140-4170 outline prohibited acts, enforcement, and penalties. Subpart 4180 is an example of how regulations provide direction for sage-grouse conservation. Within the scope of these grazing regulations, 43 CFR 4180.2(d), are included specific direction to the BLM State Directors to develop standards that among other things would address:

> "(4) Habitat for endangered, threatened, proposed, candidate, or special status species; and; (5) Habitat quality for native plant and animal populations and communities..."

In addition, Subpart 4180.2(e) requires development of guidelines to address:

> "(9) Restoring, maintaining or enhancing habitats of Federal proposed, Federal candidate, and other special status species to promote their conservation."

C. BLM National Policy Guidance

Policy guidance further defines or clarifies how laws and regulations will be administered. Policy direction is in the format of either a policy statement or as manuals or handbooks. Policies are particularly useful as guidance to avoid conflicts with related laws and regulations. Federal agency policies concerning sensitive species are a good example. The ESA only applies to proposed and listed species and designated or proposed critical habitat, but it is in the interest of the federal government, consistent with other laws such as FLPMA, to conserve sensitive species with the intent to avoid the need to list. There are no regulations associated with FLPMA that specifically address fish and wildlife management or, more specifically, conservation of sensitive species at risk of being listed in the future. Agency policy provides this direction for sensitive species conservation and fills this regulatory gap. There are two main sets of policy guidance that currently provide direction for sage-grouse conservation efforts.

- **BLM Special Status Species Management – Manual 6840**

Policy guidance for sage-grouse habitat conservation is summarized in this manual. It provides national-level policy direction, consistent with appropriate laws, for the conservation of special status species of animals and plants and the ecosystems on which they depend. *Conservation* in this Strategy, and consistent with 6840 policy, means the use of all methods and procedures necessary to improve the condition of special status species and their habitats to a point where their special status recognition is no longer warranted.

- **Land Use Planning Handbook - H-1601-1**

Land use plans ensure that the public lands are managed in accordance with the intent of Congress as stated in FLPMA (43 U.S.C. 1701 *et seq.*) under the principles of multiple use and sustained yield.

The BLM land Use Planning Handbook provides more detailed direction for land use planning consistent with planning regulations found in 43 CFR 1600.

As required by FLPMA, the public lands must be managed in a manner that protects the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use by encouraging collaboration and public participation throughout the planning process. In addition, the public lands must be managed in a manner that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands.

Land use plans are the primary mechanisms for guiding BLM activities. Land use plans guide management actions on the public lands in the planning area. Land use plan decisions establish goals and objectives for resource management; measures needed to achieve these desired future conditions; and the parameters for using BLM-managed public land (BLM Handbook H-1601-1). These plans identify lands that are open or available for certain uses, including any applicable restrictions, and lands that are closed to certain uses.

XIII. Literature Relevant to the BLM Sage-Grouse Habitat Conservation Strategy

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